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General Assembly

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Human Rights Council
Twenty-sixth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

26/16. Human rights and the regulation of civilian acquisition, possession and use of firearms

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, other international human rights law instruments and the Vienna Declaration and Programme of Action,

Recalling also General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolutions 5/1 and 5/2 and decision 5/101 of 18 June 2007, and 16/21 of 25 March 2011,

Recalling in particular that the Human Rights Council has the mandate to, inter alia, serve as a forum for dialogue on thematic issues on all human rights,

Recalling that States bear the primary responsibility under international law to promote and protect all human rights and fundamental freedoms, including the right to life and security of person, and that such responsibility may include, as appropriate, the enacting and enforcing of relevant national legislation,

Reaffirming that everyone has the right to life, liberty and security of person and is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Alarmed that hundreds of thousands of human beings of all ages around the world, including women and children, have their human rights, in particular their right to life and security of person, negatively affected by the misuse, intentional or unintentional, of firearms, and that a significant number of such killings of women have occurred as a result of inter-partner violence,

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Acknowledging that effective national regulation of civilian acquisition, possession and use of firearms may enhance the protection of the right to life and security of person and thus positively contribute to diminishing the number of victims of the misuse of firearms,

Acknowledging also the efforts made by different States at various levels, including at the regional and subregional levels, to ensure that the civilian acquisition, possession and use of firearms in their respective societies are effectively regulated,

1. *Expresses its deep concern* at the fact that hundreds of thousands of human beings of all ages around the world, including women and children, have lost their lives or suffered injuries and psychological harm by the misuse of firearms by civilians, thus having their human rights, in particular their right to life and security of person, negatively affected;

2. *Calls upon* all States to take appropriate legislative, administrative and other measures, consistent with international human rights law and their constitutional frameworks, in order to ensure that civilian acquisition, possession and use of firearms are effectively regulated with the aim of enhancing the protection of the human rights, in particular the right to life and security of person, of all;

3. *Invites* all relevant special procedures, commissions of inquiry and human rights treaty bodies to bear in mind the present resolution within the framework of their respective mandates.

38th meeting
26 June 2014

[Adopted by a recorded vote of 44 to 0, with 3 abstentions. The voting was as follows:

In favour:

Algeria, Argentina, Austria, Benin, Botswana, Brazil, Burkina Faso, Chile, China, Congo, Costa Rica, Côte d'Ivoire, Cuba, Czech Republic, Estonia, Ethiopia, France, Gabon, Germany, India, Indonesia, Ireland, Italy, Japan, Kazakhstan, Kenya, Kuwait, Maldives, Mexico, Montenegro, Morocco, Namibia, Pakistan, Peru, Philippines, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Sierra Leone, South Africa, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of),Viet Nam

Abstaining:

the former Yugoslav Republic of Macedonia, United Arab Emirates, United States of America]